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6-12-03
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: SCHUNKE

In re Application of:)
KURT SCHUNKE et al.) Stefanon, Justin
Appl. No.: 09/727,109) Group Art Unit: 3682
Filed: November 30, 2000)
For: ADJUSTING DEVICE)

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RESPONSE TO OFFICIAL ACTION
Dated December 3, 2002

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, on 3 June 2003.
(Date)

LELAND P. SCHERMER
(Name of Registered Representative)

Leland P. Schermer 6/3/03
(Signature) (Date of Signature)

SIR:

Applicants submit herewith a Request For Continued Examination ("RCE") pursuant to 37 C.F.R. §1.114 and Section 706.07(h) of the Manual of Patent Examining Procedure ("MPEP"), and a Petition For A Three Month Extension of Time to respond to an Official Action, together with the requisite fees, in response to the Official Action dated December 3, 2002. Also submitted concurrently herewith is a Third Information Disclosure Statement.

Prior to conducting a recent interview with Primary Examiner Chong H. Kim and Examiner Justin Stefanon, the undersigned counsel submitted an Assignment showing that the instant application is now jointly owned by Dewert Antriebs – Und SystemTechnik GmbH and Co. KG, the assignee of the original inventors, and a second company, Megdal Associates, LLC. Also submitted prior to the interview was a Power of Attorney appointing the undersigned counsel to appear before the Patent and Trademark Office in connection with this application.

Applicants appreciate the courtesies extended by Primary Examiner Kim and Examiner Stefanon to new counsel of record in this application, Mr. Schermer, during an interview held on May 1, 2003. During the interview, the Examiners and counsel discussed the LaPointe and Crockett references cited by the Examiner in his Official Action of December 3, 2002 with respect to the pending claims, as well as the possibility that applicants might submit new claims directed to motion furniture having the inventive features disclosed in the instant

application. The Examiners suggested that a Request For Continued Examination ("RCE") be filed, and applicants have followed that suggestion.

Applicants hereby respond to the Official Action of December 3, 2002 by following the Patent and Trademark Office's ("PTO") recently revised format for such filings. Applicants file this submission, the RCE Transmittal form from the PTO, and the appropriate fees for a three month extension of time to respond to an Official Action and to file the RCE, and a Third Information Disclosure Statement.